

Memorial Way Civic Club

Amendments to the Deed Restrictions of Memorial Way Addition to comply with The Texas Property Code Chapter 202, Construction and Enforcement of Restrictive Covenants May, 2013

The Executive Committee of the Memorial Way Civic Club, the Memorial Way Architectural Control Committee, and a majority of the homeowners of the Memorial Way Addition have voted to adopt the following parameters in order to be in compliance with current amendments to the Texas Property Code Chapter 202, Construction and Enforcement of Restrictive Covenants. The amendments are with regard to: rain barrels and rain harvesting systems, political signs, solar energy devices, roofing materials, flag displays, and display of certain religious items. This Dedicatory Instrument will be recorded in the Office of the County Clerk of Harris County amending The Memorial Way Addition Restrictive Covenant filed March 23, 1993 (Page 370 of Volume 3213 in the Deed Records of Harris County).

1. Rain Barrels and Rain Harvesting Systems, Section 202.007

A. Prior approval from the Memorial Way Architectural Control Committee is needed before a property owner or resident installs rain barrels and/or rain harvesting systems.

B. Installation of a rain barrel or rain harvesting system will not be approved if:

- (1) It is located between the front of the property owner's home and an adjoining or adjacent street.
- 2) The barrel or system is of a color other than a color consistent with the color scheme of the property owner's home, or displays any language or other content that is not typically displayed by such as it is manufactured.
- (3) The barrel or system does not match the aesthetics of surrounding properties in Memorial Way.

2. Regulation of Display of Political Signs, Section 202.009

A. Signs advertising a political candidate or ballot item for an election are allowed on or after the 90th day before the date of the election to which the signs relate, or before the 10th day after that election date.

B. The Memorial Way Civic Club may remove a sign if there is any display that would be offensive to the ordinary person, or be in violation of a restrictive covenant permitted by section 202.009.

3. Solar Energy Devices, Section 202.010

A. A solar energy device has the meaning assigned by Section 171.107, Tax Code. The installation of a solar energy device will require prior written approval from the Memorial Way Architectural Control Committee.

B. The review committee may not withhold approval of a solar device unless it is determined that placement of the device as proposed by the property owner constitutes a condition that substantially interferes with the use and enjoyment of land by causing unreasonable discomfort or annoyance to persons of ordinary sensibilities.

C. A solar energy device that is permitted in a fenced yard or patio within the lot should be owned and maintained by the property owner. It cannot be taller than the fence line.

D. A solar energy device is permitted on the roof of the home or of another structure on the property. If mounted on the roof of the home, it cannot extend higher than the roofline, and the top edge is to be parallel to the roofline. The frame, support bracket, and piping or wiring should be of a silver, bronze, or black tone commonly available in the marketplace.

4. Roofing Materials, Section 202.011

A. Plans and specifications for the installation of storm or energy efficient roofing materials must be submitted for approval by the Memorial Way Architectural Control Committee.

B. It is a necessity that the roofing materials, when installed, match the aesthetics of surrounding properties in Memorial Way.

5. Flag Display 202.011

A. The flag of the United States, the flag of the State of Texas, and an official or replica flag of any branch of the United States armed forces may be respectfully displayed.

B. The installation of a freestanding flagpole requires prior written approval from the Memorial Way Architectural Control Committee. The flagpole may not exceed 20 feet in height. It is a requisite that the display of a flag comply with applicable zoning ordinances, easements, and setbacks of record.

C. It is essential that a displayed flag and the flagpole on which it is flown be maintained in good condition and any deteriorated flag or deteriorated or structurally unsafe flagpole be repaired, replaced, or removed.

6. Display of Certain Religious Items, Section 202.018

A. Any alteration to the entry of the resident's dwelling requires prior written approval from the Memorial Way Architectural Control Committee.

B. Display of religious items motivated by the owner's or resident's sincere religious belief is not prohibited, unless the display is patently offensive according to community standards.

In the event any provision in these Guidelines conflicts or is inconsistent with a provision in the Declaration the provision in these Guidelines shall control.

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The undersigned, being the duly elected, qualified Executive Committee Members of Memorial Way Civic Club, do hereby certify that this Dedicatory Instrument, amending the Memorial Way Addition Restrictive Covenant filed March 23, 1993, (Page 370 of Volume 3213 in the Deed Records of Harris County) was created in order to be in compliance with the Texas Property Code Chapter 202, Construction and Enforcement of Restrictive Covenants. It has been approved by a required majority vote of the Memorial Way Civic Club Executive Committee, the Architectural Control Committee, and the Members of the Association, and now appears in the books and records of the Memorial Way Civic Club. This Instrument will be in effect upon recording in the Office of the County Clerk of Harris County, Texas.

TO CERTIFY which witness my hand this 10th day of May, 2013.

The Executive Committee, Memorial Way Civic Club

Louis Sabayrac, Jr.
Louis Sabayrac, Jr., President

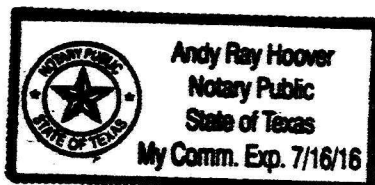
Max Zanger
Max Zanger, Vice President

Jeff Fuller
Jeff Fuller, Treasurer

Martha W. Jorgensen
Martha W. Jorgensen, Secretary

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned notary public, on this 10 day of May, 2013, personally appeared Louis Sabayrac, Jr, Max Zanger, Jeff Fuller, and Martha W. Jorgensen, the Executive Committee of Memorial Way Civic Club, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purpose and in the capacity therein expressed.



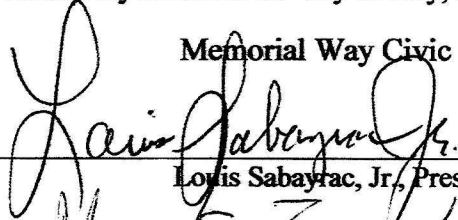
Andy Ray Hoover
Notary Public in and for the State of Texas

This Notarial Certificate is to be attached to, and associated with, only the following documents:

Vote for approval of the proposed Dedicatory Instrument regarding Amendments to the Memorial Way Deed Restrictions, to comply with The Texas Property Code, Chapter 202, May 2013.

TO CERTIFY which witness my hand this 10th day of May, 2013.

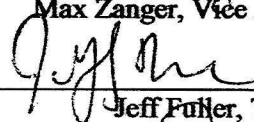
Memorial Way Civic Club



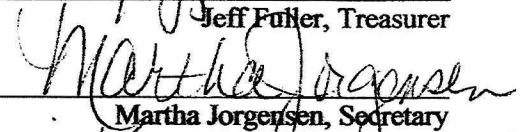
Louis Sabayrac, Jr., President



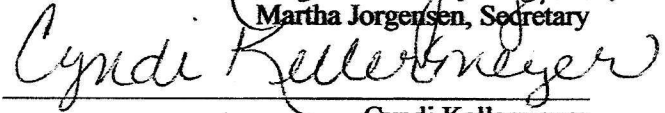
Max Zanger, Vice President



Jeff Fuller, Treasurer



Martha Jorgensen, Secretary



Cyndi Kellermeyer

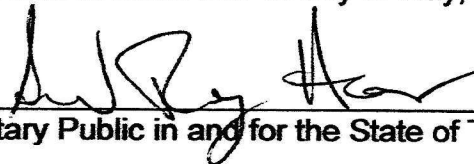
State of Texas §

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County of Harris §

Before me, the undersigned notary public, on this day personally appeared Louis Sabayrac, Jr., Max Zanger, Jeff Fuller, Martha Jorgensen, and Cyndi Kellermeyer, known to me to be the persons whose names are subscribed as witnesses to the attached signatures of Memorial Way Addition lot owners, persons who executed such instrument of writing for the purposes and consideration therein expressed.

Given under my hand and seal of office this 10 day of May, 2013.



Notary Public in and for the State of Texas

